



PATENT
005586-20026 (81784.0018)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Akira TSUKIHASHI

Serial No: 09/476,862

Filed: January 3, 2000

For: DATA PROCESSING CIRCUIT FOR
TEMPORARILY SUSPENDING DATA
RECORDING ONTO A DISK

Art Unit: 2655

Examiner: Gautam Patel

20 May 2003
5/20/03

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, Box 1450, Alexandria, VA 22313-1450, on	
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John P. Scherlacher, Reg. No. 23,009	
Name	John P. Scherlacher
Signature	05/19/03
Date	

RESPONSE TO FINAL OFFICE ACTION

Mail Stop AF
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Box 1450
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Dear Sir:

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I hereby certify that this paper and every paper referred to herein is being transmitted via facsimile to recipient at (703) 872-9314 on:	
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In response to the Final Office Action dated April 9, 2003, please enter and consider the following remarks and arguments:

Remarks/Arguments begin on page 2 of this paper.

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Technology Center 2600

Substitute See tab 18
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REMARKS/ARGUMENTS

Claims 3-12 are pending in the application. In paragraph 4 which begins at the bottom of page 2 of the Office Action, claims 3-12 are rejected under 35 U.S.C. § 103(a) as being unpatentable over USPN 5,436,875 of Shinada in view of USPN 5,434,997 of Landry. The discussion which follows and which continues over to paragraph 14 at the top of page 9 of the Office Action purports to show the manner in which Shinada and Landry disclose or suggest the various limitations of claims 3-12. Beginning with paragraph 15 on page 9 of the Office Action, Applicant's arguments set forth in the remark section of the prior Amendment are discussed in terms of why such arguments are incorrect or not persuasive. The rejections of the claims are respectfully traversed.

Applicant has again carefully reviewed the Shinada and Landry references and notes that various statements and arguments set forth in the Office Action are fundamentally incorrect. More particularly, it is stated in the Office Action that the ROM (read-only-memory) referred to in Shinada includes a "write-once" media. However, the disc of Shinada is a CD (compact disc) which is used for reproduction only. Nowhere does Shinada disclose that such disc is writeable.

Shinada describes a first embodiment (Fig. 1) which uses a hybrid device for reading and writing. Shinada also discloses a second embodiment (Fig. 8) and a third embodiment (Fig. 13). The second and third embodiments use a combination of a reproduction-only disc and a writeable disc. The reproduction-only disc is a music CD in which no writing is performed. With the description "reproduction-only" being used in the specification, it is very clear that the disc is not a CD-R.

Moreover, Shinada does not disclose or suggest generating a reproduction clock and operating in synchronization with such a clock.

Regarding the Landry patent, this reference describes that the slave CPU is put into a sleep state when the data on the bus is not for the CPU. The present invention differs from Landry. In the case of the present invention, operation is

suspended by interrupting the power supply or halting the supply of an operation clock when buffer underrun occurs.

Therefore, claims 3-12 are submitted to clearly distinguish patentably over the attempted combination of Shinada and Landry, for the reasons set forth above. Applicant respectfully requests reconsideration and allowance of the claims.

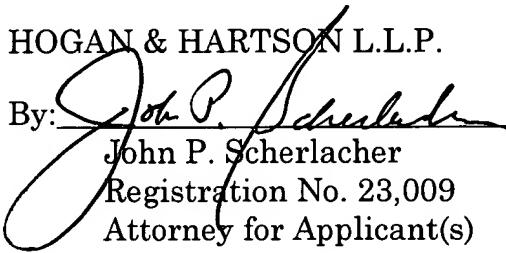
If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles telephone number (213) 337-6846 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,

HOGAN & HARTSON L.L.P.

Date: May 19, 2003

By: 

John P. Scherlacher
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